

EXHIBIT “A”

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

FLEMING COMPANIES, INC.)	CASE NO. 1:01-cv-088
)	
Plaintiff,)	MAG. JUDGE HOGAN
)	
v.)	
)	
KENNETH L. BARBOUR, et al.)	
)	AGREED ORDER ON MOTION FOR
Defendants.)	RELIEF FROM ORDER

On July 19, 2004, this Court ordered that Defendant Reva J. Boone was “not to transfer, encumber, convey or in any other manner dispose of such assets subject to execution.” That order remains in place and resulted in Defendant, Reva J. Boone filing a Motion for Relief from Order.

Ms. Boone acknowledges that default judgment was entered in favor of Plaintiff, Fleming Companies, Inc. and against her and the other Defendants on May 14, 2001. While the parties acknowledge that the judgment has not been paid by Defendants, Defendant Boone believes that the judgment has been satisfied via an agreement, while Fleming Companies disagrees.

Plaintiff, Fleming Companies, Inc., however, acknowledges that pursuant to an oral agreement with Defendant Boone, it will not refile a judgment lien as to real property Defendant Boone currently owns.

Plaintiff, Fleming Companies, Inc. has no objection to Ms. Boone’s Motion for Relief from Order, and accordingly, it is ORDERED, ADJUDGED and DECREED that Reva J. Boone is free to transfer, encumber, convey or dispose of her assets that may be subject to execution.

IT IS SO ORDERED.

Date: _____

Timothy S. Hogan
United States Magistrate Judge

Agreed To By:

s/ Robert J. McBride
Robert J. McBride
Counsel for Fleming Companies, Inc.

s/ Randy Blankenship
Randy Blankenship
Counsel for Reva J. Boone

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